

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

WILLIE DAVIS, JR., NATHANIEL \*  
BRIDDELL, GEORGE W. FEDDIMAN, \*  
JOSEPH GARISON, LARRY E. GIBBS, \*  
ROY H. WALTERS, and ALL \*  
SIMILARLY-SITUATED CURRENT \*  
AND FORMER EMPLOYEES OF \*  
MOUNTAIRE FARMS, INC., \*  
MOUNTAIRE FARMS OF DELMARVA \*  
INC., and MOUNTAIRE FARMS OF \*  
DELAWARE, INC., \*

Plaintiffs,

v.

MOUNTAIRE FARMS, INC., a Delaware \*  
Corporation, MOUNTAIRE FARMS OF \*  
DELMARVA, a Delaware Corporation, \*  
and MOUNTAIRE FARMS OF \*  
DELAWARE, INC., a Delaware \*  
Corporation, \*

Defendants. \*

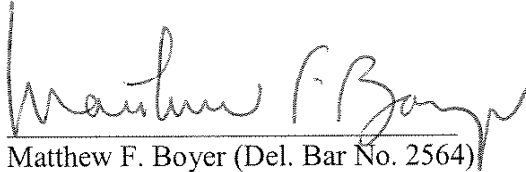
Civil Action No. 04-414 – KAJ

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, move the Court to grant summary judgment in their favor and against the Plaintiffs. As explained more fully in the accompanying Opening Brief in Support of Defendants' Motion for Summary Judgment and Appendix, the undisputed evidence shows that there is no genuine issue of material fact for trial and that Defendants are entitled to judgment as a matter of law.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

A handwritten signature in dark ink, appearing to read "Matthew F. Boyer", is written over a horizontal line.

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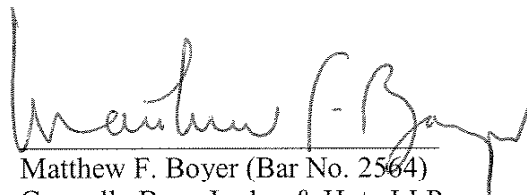
*Attorneys for Defendants*

DATED: May 2, 2005

**CERTIFICATE OF SERVICE**

I certify that on May 2, 2005, I caused a copy of the **Defendants' Motion For Summary Judgment** to be served by first class mail, postage prepaid, upon the following:

Jeffrey K. Martin, Esquire  
Timothy J. Wilson, Esquire  
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